

Notice of Allowability

Application No.

09/870,291

Applicant(s)

BISH ET AL.

Examiner

Dennis M. Butler

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication received on May 30, 2001.
2. ☒ The allowed claim(s) is/are 1-51.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 06252002
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

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1. This action is in response to the application that was filed on May 30, 2001.

Claims 1-51 are pending.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. In the claims:

A) in claim 15,

1. in line 1, changed "1" to --10--;

B) in claim 21,

1. in line 1, changed "10" to --20--.

4. The above examiners amendment was necessary in order to place this application in condition for allowance and expedite prosecution of the application. The examiner's amendment changes the dependency of claim 15 from claim 1 to claim 10 because claim 15 is a duplicate of claim 8. The examiner's amendment changes the dependency of claim 21 from claim 10 to claim 20 because claim 21 is directed to a system (claim 10 is a method claim) and claim 20 provides antecedent basis for the phrase "the code indicated in the write command". The examiner believes that applicant intended claim 15 to be dependent from claim 10 and claim 21 to be dependent from claim 20. If applicant does not agree with the changes made by the examiner, the examiner will enter a 312 amendment for correcting the above problems.

5. The following is an examiner's statement of reasons for allowance:

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The prior art describes initializing storage devices in a disk array using a storage controller to write initialization data to each sector using separate write commands for each sector initialized as described by applicant in the Background Of The Invention of the specification.

The claimed invention is allowable over the art of record because the art of record does not teach or suggest a command used for initializing a storage unit comprising multiple storage units managed by a storage controller that comprises one block of initialization data, a block address of a first block in a set of sequential blocks in the storage space and a block number that indicates the number of times the block of initialization data is written, wherein the command causes the storage unit to write the block of initialization data to the indicated block address and to each subsequent consecutive block in the storage unit following the indicated block address a number of times equal to the block number as claimed in independent claim 46. In addition, the claimed invention is allowable over the art of record because the art of record does not teach or suggest a method, an article of manufacture or a system that uses the above command to initialize storage space of a storage device comprising a plurality of storage units, the storage space spanning the plurality of storage units, by determining a layout of sets of sequential data blocks of the storage space onto the storage units, generating and transmitting the write command to each storage unit in the storage space being initialized, wherein the command causes the storage units receiving the command to write the block of initialization data to the

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indicated block address and to each subsequent consecutive block in the storage unit following the indicated block address a number of times equal to the block number as claimed in independent claims 1, 10, 16, 25, 31 and 40.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis M. Butler whose telephone number is 703-305-9663. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis M. Butler

Dennis M. Butler
Primary Examiner
Art Unit 2115

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